

AFFIDAVIT OF ERICA BERRY

STATE OF MISSISSIPPI

COUNTY OF HINDS

PERSONALLY APPEARED BEFORE ME, the undersigned authority, the within named **Erica Berry**, who stated on her oath as follows:

1. My name is Erica Berry. On November 2, 2017, Cleveland Ellis, Joshua Hamilton and I were in a parked car that was backed into a parking space in front of Building 17 of the Woodridge Apartment Complex located at 1533 Raymond Road, Jackson, Mississippi. Ellis was in the driver's seat, Hamilton was in the front passenger's seat and I was in the back seat.
2. While we were sitting in the car, more than two police cars pulled into the parking lot. Two of the police cars parked in a manner that prohibited the car that we were in from leaving our parking space. Ellis and Hamilton were arrested soon after the police officers parked their vehicles.
3. On May 1, 2018, I met with attorney Jessica Bourne, attorney Tom Turner and investigator Greg King, all of whom are employed by the Office of the Federal Public Defender for the Southern District of Mississippi. We met in the parking area in front of Building 17 of the Woodridge Apartment Complex.
4. King took a number of photographs while we were at the parking lot. The photographs,

which are attached hereto as exhibits, are described as follows:

- (a) A photograph of me standing on the back side of a SUV. The SUV in this photograph is parked in the same parking space that Ellis, Hamilton and I were parked in on November 2, 2017. This photograph is marked as Exhibit 1.
 - (b) A photograph pointing from the entry lane of the parking lot fronting Building 17 toward the end of the parking area. This photograph is marked as Exhibit 2.
 - (c) A second photograph pointing from the entry lane of the parking lot fronting Building 17 toward the end of the parking area. This photograph is marked as Exhibit 3.
 - (d) A photograph pointing from the entry lane of the parking lot fronting Building 17 toward the end of the parking area. This photograph depicts two vehicles, one in the entry lane of the parking area fronting Building 17, and one in the exit lane of that parking lot. The two cars described in this paragraph are situated directly in front of the parking space that Ellis, Hamilton and I were parked in on November 2, 2017. This photograph is marked as Exhibit 4.
 - (e) A photograph pointing from the end of the parking area fronting Building 17 toward the entry area of the parking lot. This photograph depicts two vehicles, one in the entry lane of the parking area fronting Building 17, and one in the exit lane of that parking lot. The two cars described in this paragraph are situated directly in front of the parking space that Ellis, Hamilton and I were parked in on November 2, 2017. This photograph is marked as Exhibit 5.
5. All of the photographs described in paragraph 4 above accurately depict the configuration

of the parking lot fronting Building 17 of the Woodridge Apartment Complex as it existed
on November 2, 2017.

Further Affiant sayeth not.

Erica Berry
Erica Berry

SWORN TO AND SUBSCRIBED before me on this the 3rd day of May, 2018.

Gregory L. King Sr.
NOTARY PUBLIC

My commission expires:

